
County of Loudoun
Department of Building and Development
MEMORANDUM

DATE: August 23, 2006

TO: Loudoun County Planning Commission

FROM: Melinda M. Artman, Zoning Administrator
Michelle M. Lohr, Rural Planner

SUBJECT: Proposed Amendments to the Loudoun County Zoning Ordinance (ZOAM 2005-0002), Zoning Map (ZMAP 2005-0042, ZMAP 2006-0002), and Land Subdivision and Development Ordinance (DOAM 2005-0003) for the Rural Policy Area.

Per the request of the Planning Commission, the following attachments have been provided in light of the proposed Zoning Map, Zoning Ordinance, and Land Subdivision and Development Ordinance revision components of the Rural Policy Area Amendments.

Attachments:

1. Reproduction of Planning Commission Action Summary on Rural Policy Area Amendments, March 20, 2006 with Board of Supervisors highlighting those recommendations not included in the Board of Supervisors' Committee of the Whole Action Item dated 7/27/06.
2. Matrix indicating Planning Commission Recommendations not accepted by Board of Supervisors.
3. Potential New Housing Units in the Rural Policy Area for Differing Alternatives with Buildout Analysis Methodology (prepared by Department of Management and Financial Services and Economic Development, June 15, 2005).

This document is a reproduction of the 3/20/06 Planning Commission Report to the Board of Supervisors with boxed areas indicating those recommendations of the Planning Commission that are not included in the Board of Supervisors' Committee of the Whole Action Item dated 7/27/06 (proposed Zoning Ordinance Amendments are included as attachments and are dated July 18, 2006.).

PLANNING COMMISSION REPORT TO THE BOARD OF SUPERVISORS

APPLICATION: CPAM 2005-0005, ZOAM 2005-0002, ZMAP 2005-0042
DOAM 2005-0003
Western Loudoun Rezoning

APPLICANT: Loudoun County Board of Supervisors

DISTRICT: Blue Ridge and Catoclin

LOCATION: Rural Policy Area

PLANNING COMMISSION ACTION

OVERVIEW

The application addresses the rezoning of the Rural Policy Area from a current A-3 density to new densities 1.) in the AR-1 area of 1 unit per 20 acres which may be subdivided to a density of 1 unit per 10 acres (by right) with no further subdivision allowed or to 1 unit per 7.5 acres through a rezoning with proffers paid back to the base density and 2.) in the AR-2 area of 1 unit per 40 acres which may be subdivided to a density of 1 unit per 20 acres (by right) with no further subdivision allowed or to 1 unit per 15 acres through a rezoning with proffers paid back to the base density. In addition, several modifications to the Comprehensive Plan, Zoning ordinance, Zoning map and Land Subdivision and Development Ordinance to include the Facilities Standards Manual were forwarded to the Planning Commission.

The Commission held multiple public input sessions and public hearings on the application. Subsequently, the commission formed three subcommittees to address each of the following topic groups:

Subcommittee A

Wells & Drainfields

Transportation

Private Access easements

LSDO disclosures

Traditional farming vs. niche farming

Subcommittee B

Open space requirements
Clustering & lot size
Buffering around towns, villages and JLMA's
Density credit for floodplain
CR-1, Cr-2, CR-4, RC
Village lines & coordination between Comp Plan, Town/Village line, LCSA
service area
Extension of central water & sewer to CR areas adjacent to towns, villages and
JLMA's
Grandfathering

Subcommittee C

Zoning Ordinance 5-500 Definition of Special Events
5-600 Performance Standards
5-654 Roadway access and width
School & non-residential lot coverage percentage
Private Clubs as a Special Exception or Permitted Use
Country Clubs as a Special Exception or Permitted Use
Accessory Dwellings
Agricultural area minimum setbacks and minimum lot sizes
Camps

The Planning Commission held a total of 11 meetings since the beginning of the year (1 briefing, 1 public input session – 39 speakers, 2 public hearings – 123 (includes 15 taped) speakers, 2 subcommittee meetings and 5 worksessions). This included discussions with representatives of the county attorney's office, health department, transportation department, Zoning Ordinance Review Committee, Rural Economic Development Commission, Zoning Administration and many members of the Planning Departments staff. Each subcommittee had a staff member and a ZORC member in attendance at each committee meeting.

The following is a summary of our actions:

ISSUES ADDRESSED / RECOMMENDATIONS

The Planning Commission considered the draft changes identified above and voted to recommend approval to the Board of Supervisors subject to the recommendations discussed below.

PC Vote: 9-0 CPAM 2005-0005

7-2 ZOAM 2005-0002 (Volpe, Syska opposed)

7-2 ZMAP 2005-0042 (Volpe, Syska opposed)

9-0 DOAM 2005-0003

7-2 Amendments discussed below (Volpe, Syska opposed)

ZOAM 2005-0002

1. The proposed draft zoning language should be amended to require 70% open space in the AR-1 and AR-2 zoning districts for consistency throughout the Rural Policy Area.

Issue: Previously, this was 70% in AR-1 and 85% in AR-2. The change is recommended to maintain consistency in the entire Rural Policy Area.

PC Vote: 9-0

2. In all the affected districts, no maximum number of lots should be required within a cluster.

Issue: The previous limits of a minimum of 5 and a maximum of 25 were viewed as unsuccessful in maintaining the rural character of the affected areas where hamlet settlements arbitrarily spaced 800 feet apart have developed as a 'string of pearls' without an identifiable center or community character.

PC Vote: 9-0

The Board of Supervisors' 7/18/06 version keeps the maximum number of lots in a cluster at 25.

3. Minimum lot size in a cluster shall be reduced based on the type of water and wastewater provided to the individual lot.
 - a. Lots served by on site well and on site wastewater within a cluster may be a minimum of 40,000 square feet (approximately 1 acre).
 - b. Lots served by on site well and off site wastewater within a cluster may be a minimum of 20,000 square feet (approximately ½ acre).
 - c. Lots served by communal well and wastewater within a cluster will have no minimum lot size.

Issue: The idea of maintaining a large minimum lot size was seen as contrary to the best interest of the rural area. By allowing smaller, more concentrated development areas, the compactness of the design allows for greater retention of open spaces and viewsheds. The sizes recommended above were developed based on input from ZORC members after studies were prepared illustrating the practical minimum sizes which allow well and septic tanks on the same parcel.

PC Vote: 9-0

4. Amend the AR districts base density division option to allow lot coverage to be 11% for non-residential uses.

Issue: Loudoun County Public Schools identified the proposed 8% lot coverage as a potential conflict since their standard school design vs. minimum acreage requirement does not fit within the 8% maximum. LCPS requested that the coverage allowance be increased to 15%. Based on the current LCPS standards, the 11% proposed language allows a standard school to be built on a standard site.

PC Vote: 9-0

5. Amend the Minimum Lot Size Requirements in the AR districts such that when two or more uses are established on the same lot and those uses are subject to performance standards contained in Section 5-600, that the minimum lot size shall be the larger of the two or more uses requirements, and not the sum of all the minimum lot sizes.

Issue: The zoning ordinance is currently silent on this issue. The draft text states that two or more uses require the sum of all minimum lot sizes. The Planning Commission recommends that current administration of the Ordinance be codified and clarify the potential conflict on multiple uses on the same lot and eliminate any potential ambiguity.

PC Vote: 9-0

6. Amend the use tables in the AR districts to allow "Private Clubs" as a special exception use.

Issue: This issue was raised by a member of the public. The proposed language does not allow private clubs as a permitted or special exception use in the AR districts. This is recommended to allow those groups owning property in the AR districts to provide a facility which their members may use or which may be made available to the community at large. There may be potential conflicts with surrounding residential uses including traffic, lighting and noise and, therefore, we are recommending a special exception be required.

PC Vote: 9-0

7. Amend the use tables in the AR districts to allow "Country Clubs" as a special exception use. Amend the proposed performance standards in Section 5-600 regarding Country Clubs to increase FAR from 0.2 to 0.4; increase the amount of area devoted to restaurant/dining, and conference/banquet facilities, and the buffering only to adjacent properties that are not within the same development as the Country Club.

Issue: Currently the Zoning Ordinance allows a clubhouse as a permitted use in the AR districts as an accessory use to a golf course. The size is limited to 25,000 SF. The proposed change is recommended to allow a country club to provide a full-service facility to their members including

expanded dining facilities, exercise facilities, massage services, and steam rooms, and the country club may be accessory to an outdoor recreation use. There may be potential conflicts with surrounding residential uses including traffic, lighting and noise and, therefore, we are recommending a special exception be required.

PC Vote: 9-0

8. Amend Section 5-600 regarding modifications to performance standards by special exception to read "minor special exception".

Issue: Currently all special exceptions for additional regulations for specific uses under Section 5-600 must be considered by both the Planning Commission and the Board of Supervisors, no matter how minor. This change is recommended to allow applicants with minor issues to have those issues addressed by County staff and be considered directly by the Board of Supervisors. This was viewed as a means to minimize the financial and time burden on rural economy users by allowing the process to forgo consideration by the Planning Commission. At its discretion, the Board of Supervisors may refer the application to the Planning Commission for further study and recommendation.

PC Vote: 9-0

9. Revise the provisions for temporary permits as contained in Attachment A.

Issue: "Special events" is presently defined as events having attendance by more than 100 persons. For those rural businesses which have indoor and outdoor facilities large enough to accommodate over 100 people without creating disturbance to neighbors, the need to apply for temporary permits is an unnecessary burden. Therefore, provisions for temporary permits have been adjusted in conjunction with revisions for Items 10 and 11 below.

10. Amend the definition of special event as contained in Attachment A.

Issue: This item was redefined to clarify items which reasonably expect to attract large numbers of people.

PC Vote: 9-0

The Board of Supervisors' 7/18/06 version has been amended to clarify that a private party held at a Banquet/Event Facility (including Hotel, Conference Center, Restaurant, Bed and Breakfast, Country Inn, Rural Retreat or Rural Resort or similar facility) shall not be deemed a special

11. Eliminate the distinction between "Bed and Breakfast Homestay" and "Bed and Breakfast Inn" and substitute "Bed and Breakfast" as contained in Attachment A.

Issue: This item was refined to combine a fundamentally similar concept which had been previously divided into minor incremental differences. One of the main concerns was the generation of noise and lighting at events that were occurring often at Bed & Breakfast facilities. This recommended change provides for all Bed & Breakfasts to host indoor events with the total attendance limited by the requirements of the building code. The attendance at outdoor events would be limited by the gross acreage of the lot.

PC Vote: 9-0

The Board of Supervisors' 7/18/06 version removes the indoor and outdoor event provisions for Bed and Breakfasts and Country Inns and places them in the Banquet/Event Facility standards of Section 5-642.

12. Eliminate the distinction between "Accessory Dwelling Unit", "Tenant Dwelling", "Guest House" and "Caretakers Quarters" in the AR districts, substituting just "Accessory Dwelling Unit" as contained in Attachment B. We concur with all other ZORC recommendations on this topic.

Issue: The need for different classifications of dwelling unit was considered unnecessary as they are all basically a second dwelling unit on the same lot.

PC Vote: 9-0

The Board of Supervisors' 7/18/06 version combined the Tenant Dwelling, Guest House and Caretakers Quarters in the AR districts into the Accessory Dwelling unit use. The size of the Accessory Dwelling unit was changed from 2,500 sq. ft. to the lessor of 70% of the principal dwelling or 2,500 sq. ft. One accessory dwelling is permitted on a lot with an additional accessory dwelling unit on a lot of 20 acres (the PC draft stated 10 acres). In the rural districts, an additional dwelling unit is permitted for each additional 25 acres over 20 acres (the PC drafted stated one for each 25 acres over 10 acres).

13. Amend Table 5-654 to allow the private road standards to be waived by adding a note that all Facilities Standards Manual provisions to waivers apply.

Issue: This issue was identified by the REDC. The proposed standards were too limiting to rural economy uses. For example, existing private rural road widths are NOT consistent throughout the county and a condition where a small section of an existing private road is not of adequate width might cause a use to be denied even though much of the road width WAS in compliance with the requirements of the ordinance and all FSM provisions, other than road width, were accommodated.

14. Amend Section 5-633 (B) to state: "**Site Size.** The minimum lot area for an airport/landing strip shall be 25 80 acres, ~~except that a use consisting only of a landing strip with no accessory structures or facilities other than a fueling station shall be a minimum of 15 acres in size.~~

Issue 1: The existing requirements for an airstrip require a minimum setback of 650' in all directions (this is a minimum 1300' square or 38.79 acres). There is also a buffering requirement which makes the practical construction of a landing area only possible on approximately 80 acres.

PC Vote: 9-0

The Board of Supervisors did not address the Planning Commission's proposed change to the Airport/Landing Strip standards as they were not included in the Public Hearing advertisement. This issue will be included in the Annual Review.

ZMAP 2005-0042

15. Retain CR-1, CR2, CR4 and RC zoning contiguous to Villages, Towns and JLMAs. Retention of CR and RC zoning will allow for future growth where it is consistent with the goals and objectives of the Villages and Towns.

Issue: This issue was identified by members of the public. Most of the CR zoned properties are adjacent to existing developed town and villages which currently provide for basic services. It was considered appropriate to maintain the CR zoning in these areas to allow some growth in those areas which could most easily support the growth without adversely impacting the adjacent areas or creating the need for additional services to be required on a large scale.

PC Vote: 9-0

The Board of Supervisors has discussed remapping the Rural Policy Area in conformance with the Comprehensive Plan and not accepted the Planning Commission's recommendation to retain the CR and RC districts contiguous to Villages. The Board has also discussed retaining A-3 zoning in an area bordered on the west by Woodland Rural Village, the south by TR-3 and the east by PD-H4 and TR-10.

CPAM 2005-0005

16. Amend the Comprehensive Plan to allow Rural Villages as a development option in the Rural Policy Area and direct the Planning Commission to develop new language in the zoning ordinance to address the implementation of this policy.

Issue: The Planning Commission recommends that the Board of Supervisors include in its definition of re-zoning options for the AR-1 and AR-2 districts provision for the development of new and expanded rural villages in the Rural Policy Area in addition to the currently proposed RR-1 and RR-2 options. These rural villages, to be permitted through a PD-RPAV (Planned Development - Rural Policy Area Village) district classification, should have the following key characteristics:

- (A) The creation of a distinct settlement of sufficient size to provide for a variety of life styles and housing types.
- (B) The preservation of natural resources, land for rural economic uses and open space
- (C) Minimization of the potential for conflict between rural economic land uses and other land uses.

PC Vote: 9-0

On July 18, 2006 the Board of Supervisors initiated the CPAM and ZOAM for consideration of a Rural Village Option in the Rural Policy Area. This effort will be prioritized along with the remaining CPAMs and ZOAMs on the work program at the conclusion of the active CPAMs and the annual review of the Zoning Ordinance.

DOAM 2005-0003

17. Delete the requirement in Chapter 6 of the Facilities Standards Manual for a hydro geologic report and well digging prior to submission and approval of a preliminary plat. Include the requirement in Chapter 6 of the Facilities Standards Manual for a hydro geologic report and well digging prior to issuance of a record plat.

PC Vote: 6-0-3

Other recommendations:

1. The Planning Commission recommends that the Board of Supervisors readopt the 1993 grandfathering language, as follows:.

Pending Applications - Applicability.

- (1) This Ordinance shall apply to all applications officially accepted after the approval date of this Ordinance, except as provided below.
- (2) All active applications for Zoning Map Amendments, Concept Plan Amendments and Zoning Ordinance Modifications, and Special Exceptions officially accepted prior to the effective date of this Ordinance shall be processed, pursuant to the provisions of the Ordinance in effect prior to the effective date of this Ordinance.

However, those applications which are approved shall be subject to this Ordinance and mapped accordingly with PDH applications being specifically subject to the provisions of Section 1-103(M).

- (3) All active applications for preliminary or record plat subdivision approvals, or preliminary or final site plan approvals, officially accepted prior to the effective date of this Ordinance shall be subject to the Ordinance in effect prior to the effective date of this Ordinance.

- ~~(4) All inactive applications which were officially accepted prior to the effective date of this Ordinance shall be treated as follows:~~

- ~~(a) The Director of the Department responsible for review of the application shall notify the applicant, as identified on the application, and the owner of record as shown on the tax records, by Certified Mail, Return Receipt Requested, within thirty (30) days of the effective date of this Ordinance, that they must choose to either remain inactive until further notice or to proceed to final decision under the provisions of the Ordinance existing prior to the effective date of this Ordinance or to withdraw the application.~~

~~Such choice must be made in writing and received within 120 calendar days of the effective date of this Ordinance. A decision to proceed shall subject such application to the above provision addressing active applications.~~

- ~~(b) Failure to respond within the 120 calendar day time period provided above shall result in the application being processed to a final decision under the provisions of the existing ordinance, but subject to the above provision addressing active applications.~~

- ~~(c) If the applicant notifies the County of their choice to remain inactive then (i) such application shall remain inactive provided the applicant grants a timeline extension for the decision deadline applicable to such application; (ii) such applications may remain inactive for up to three (3) years; (iii) such applications may be reactivated at any time during this time period by submitting written notification to the Director of the Department reviewing the application; (iv) such reactivation shall require payment of a fee, as established by the Board of Supervisors; and (v) any reactivated applications, or applications for which the three year inactive period expires, shall be reviewed under the provisions of this Ordinance, specifically including Section 1-103(M).~~

- (5) ~~Applications for record plats or final site plans officially accepted following the effective date of this Ordinance, but filed pursuant to a preliminary plan of subdivision or preliminary site plan lawfully approved under the Ordinance in existence prior to the effective date of this Ordinance, shall be reviewed under the provisions of that Ordinance.~~

PC Vote: 5-4

The Board of Supervisors has not discussed the grandfathering issue in public.

2. The Planning Commission recommends that the Board of Supervisors take action on initiating a DOAM as specified in #17 above, 45 days prior to the adoption of the rural mapping amendments.

PC Vote: 6-3

The Board of Supervisors has not discussed this issue in public.

3. The Planning Commission recommends that the Board of Supervisors initiate a future Comprehensive Plan Amendment (CPAM) to reconcile existing zoning, Comprehensive Plan boundaries and sewer service district boundaries for Villages.

Issue: Currently, there is no coordinated overlay process to verify that zoning boundaries, plan boundaries and sewer service district boundaries provide for a unified vision of a town or village area. The commission recommends that the Board of Supervisors form a committee to include representatives from the affected towns and villages, the Planning Commission, the Planning Department, the Zoning Department and LCSA to review the existing conditions and make recommendations which will address the current discrepancies.

PC Vote: 9-0

This effort will be prioritized along with the remaining CPAMs and ZOAMs on the work program at the conclusion of the active CPAMs and the annual review of the Zoning Ordinance.

4. The Planning Commission recommends that the Board of Supervisors direct the County Attorney to review proposed amendments to Chapter 1066 of the Codified Ordinance regarding private sewage disposal and as further allowed by Section 15.2-2157 of the Code of Virginia and forward proposed modifications which allow the County to require a program of periodic inspections as a requirement of such systems.

PC Vote: 9-0

This effort will be discussed by the Board for inclusion in the work program.

If this is not allowed by VA Code, then the Planning Commission recommends that the Board of Supervisors should consider alternative options such as requiring a Minor SPEX for alternative systems which would allow the County to place a condition of approval on the SPEX that the systems shall have regular maintenance programs in place.

PC Vote: 9-0

This effort will be discussed by the Board for inclusion in the work program.

5. The Planning Commission recommends that the Board of Supervisors initiate a future Comprehensive Plan Amendment (CPAM) to permit the extension of central water and sewer to parcels contiguous to the Villages, Towns and JLMAs, except that where specific Town/County agreements exist, such as the Purcellville Urban Growth Area Management Plan (PUGAMP), provisions of such agreements shall govern.

Issue: In order to protect the environment, address public health and safety and otherwise provide for the public benefit we recommend that towns, villages and JLMA's be provided this option without the need for a case-by-case CPAM as is now required. The extension of central water and sewer shall be at the discretion of the governing bodies of the Villages and Towns or the County in the absence of town or village government.

PC Vote: 9-0

This effort will be prioritized along with the remaining CPAMs and ZOAMs on the work program at the conclusion of the active CPAMs and the annual review of the Zoning Ordinance.

6. The Planning Commission recommends that the Board of Supervisors adopt and immediately initiate the recent recommendations by the Water Resource Technical Review Committee for water quality and quantity monitoring in the entire county.

Issue: In order to be able to make a qualified decision in regard to the availability of sufficient clean water for future uses in the county it is necessary to have quantifiable data to support such decisions. At this time the county does not possess such data nor does the county possess the means to obtain such data. The additional wells that have been suggested be drilled and monitored by the

Water Resources Board, as well as their other provisions, will provide such data over long periods of time from controlled environments. Such information will be vital for judging the availability of clean water resources during times of drought and possible over use.

PC Vote: 9-0

This effort will be discussed by the Board for inclusion in the work program.

Other Actions:

The Commission ran out of time to adequately discuss the following issues which we recommend be addressed in the future:

1. The Planning Commission recommends that the inconsistencies regarding lot size and setbacks in Sections 5-626, 5-627 and 5-630 Agriculture, Agriculture Support Uses (Direct) and Agriculture Support Uses (Indirect) be addressed and that the inconsistencies be eliminated.

The Board of Supervisors will include this issue in the Annual Review.

2. The Planning Commission deferred any action on changes to the performance standards for camps until the Annual Review.

The Board of Supervisors' 7/18/06 version includes the addition of a 300' setback requirement for a Level IV Camp, as no setback was included in the table for a Level IV Camp.

Signed: _____

Teresa Whitmore, Planning Commission Chairman

Signed: _____

Robert J. Klancher, Planning Commission Vice-Chairman

Date: _____

PLANNING COMMISSION RECOMMENDATIONS NOT ACCEPTED BY BOARD OF SUPERVISORS

SPECIFIC ZO SECTION	PLANNING COMMISSION RECOMMENDATION	BOARD DRAFT
Section 2-200 AR-1		
Table 2-102	Permit Banquet Facility as permitted use.	Keep Banquet Facility as <i>Minor Special Exception</i> use
Table 2-102	Eliminate distinction between Bed and Breakfast Homestay and Inn and allow Bed and Breakfast as permitted use.	BOS draft lists Bed and Breakfast as permitted use rooms only Banquet Facility component as <i>Minor Special Exception</i> use.
Table 2-102	Change use table in AR1 and AR2 to specify Country Inn as by right use regardless of size.	Country Inn use rooms only. Banquet Facility component as <i>Minor Special Exception</i> use.
2-103(C)(3)(a)	Eliminate the 25 lot per cluster requirement	Keep maximum number of lots in a cluster at 25
Section 2-200 AR-2		
Table 2-202	Permit Banquet Facility as permitted use.	Keep Banquet Facility as <i>Minor Special Exception</i> use
Table 2-202	Eliminate distinction between Bed and Breakfast Homestay and Inn and allow Bed and Breakfast as permitted use.	BOS draft lists Bed and Breakfast as permitted use rooms only Banquet Facility component as <i>Minor Special Exception</i> use.
Table 2-202	Change use table in AR1 and AR2 to specify Country Inn as by right use regardless of size.	Country Inn use rooms only. Banquet Facility component as <i>Minor Special Exception</i> use.
2-203(C)(3)(a)	Eliminate the 25 lot per cluster requirement	Keep maximum number of lots in a cluster at 25
Section 2-150 RR-1		
2-154(A)(2)	Eliminate the 25 lot per cluster requirement	Keep maximum number of lots in a cluster at 25
Section 2-250 RR-2		
2-254(A)(2)	Eliminate the 25 lot per cluster requirement	Keep maximum number of lots in a cluster at 25
Section 5-600 Additional Regulations for Specific Uses		
5-601((B)(3)	Bed and Breakfast: Allow Bed and Breakfasts to host private parties	Allow Bed and Breakfasts to host private parties by <i>Minor Special Exception</i>
5-601(B)(6)(b)	Bed and Breakfast: Permit indoor private parties and meetings with capacity equal to approved capacity as determined by the Unified Statewide Building Code (USBC).	Eliminate capacity requirements from Bed and Breakfast standards with reference to Banquet Facilities.
5-601(B)(6)(c)	Bed and Breakfast: Permit outdoor private parties with maximum number of attendees ranging from 50 to 350 based on acreage (10 acres to 75 acres)	Eliminate capacity requirements from Bed and Breakfast standards with reference to Banquet Facilities
5-601(B)(6)(e)	Bed and Breakfast: Require 500' setback from outdoor area to a dwelling located on a separate lot.	Eliminate setback requirements for outdoor areas as Banquet Facility standards would apply.
5-601(C)(2)	Country Inn: Permit Banquet/ Event facilities	Permit Banquet/Events facilities by <i>Minor Special Exception</i>
5-601(C)(7)(b)	Country Inn: Permit indoor private parties and meetings with capacity equal to approved capacity as determined by the Unified Statewide Building Code (USBC).	Eliminate capacity requirements from Country Inn standards with reference to Banquet Facilities.
5-601(C)(7)(c)	Country Inn: Permit outdoor private parties with maximum capacity ranging from 50 to 350 based on acreage (10 ac to 75 ac).	Eliminate capacity requirements from Country Inn standards with reference to Banquet Facilities.
5-601(C)(7)(e)	Country Inn: Require 500' setback from outdoor area to a dwelling located on a separate lot.	Eliminate setback requirements for outdoor areas as Banquet Facility standards would apply.
5-613(D)	Accessory Dwelling: Delete minimum lot size for one unit; allow an additional unit on 10 or more acres.	Allow one additional unit on 20 acres or more.
5-613(G)	Accessory dwelling: Allow additional units in rural districts for each 25 acres in excess of 10.	Accessory dwelling: Allow additional units in rural districts for each 25 acres in excess of 20.
5-633(B)	Airport /Landing Strip. Increase the minimum lot area for an airport/landing strip from 25 acres to 80 acres.	The Board of Supervisors did not address the Planning Commission's recommendation as changes to the Airport/Landing Strip standards were not included in the Public Hearing advertisement.
5-653	Landscaping Standards: Require 3 canopy trees per 100 linear feet along property lines of 4 acres or less with existing dwellings.	Require Type 3 buffer along property lines of 4 acres or less with existing dwellings.

SPECIFIC ZONE SECTION		PLANNING COMMISSION RECOMMENDATION	BOARD DRAFT
Article 8 Definitions			
Accessory Building	Revise definition to allow subordinate buildings of not more than the greater of 70% of the gross floor area of the principal structure or 2,500 sq. ft.	Revise definition of Accessory Building to base the maximum size on the size of the lot as follows: up to 5 acres: 2,500 sq. ft., more than 5 acres up to 10 acres: 5,000 sq. ft., more than 10 acres up to 20 acres: 7,500 sq. ft. more than 20 acres: 10,000 sq. ft.	
Banquet/Event Facility	Revise definition to clarify that food may be prepared on site (not just heated) and use may be an ancillary component of some uses.	Revise definition of Banquet/Event Facility as follows: A use in which the principal function is hosting private parties at which food and beverages are served to groups of people, and which has facilities for the refrigeration and preparation of food, or which provides facilities for food through a caterer, such as, but not limited to: restaurants, hotels, bed and breakfasts, country inns, rural retreats, rural resorts, conference centers and similar uses. Adult entertainment shall not be permitted at a Banquet/Event Facility.	
Dwelling, Accessory	Revise definition to permit maximum of 2,500 sq. ft.	Revise definition to state accessory dwelling is the lessor of (i) 70% of the principal structure and a footprint not more than 70% of the principal structure of (ii) 2,500 square feet of gross floor area.	
Special Event	Revise definition to clarify that special event is open to the public and requires a temporary event permit.	Reword Special Event to clarify that a private party held at a Banquet/Event Facilities (including Hotel, Conference Center, Restaurant, Bed and Breakfast, Country Inn, Rural Retreat or Rural Resort or similar facility) shall not be deemed a special event.	
APPLICATION NUMBER		Current Policy/Ordinance	
ZMAP 2005-0042	Retain CR-1, CR-2, CR-4 and RC zoning contiguous to Villages, Towns and JLMAs	Remap Rural Policy Area in Conformance with Comprehensive Plan. Retain A-3 Zoning in Area boarded on west by Woodland Rural Village and south by TR-3 and east by PD-H4 and TR-10	

Attachment 1-1
Potential New Housing Units in the Rural Policy Area for Differing Alternatives

Parcel Size (Acres)	Alternative 1:	Alternative 2:	Alternative 3:	Alternative 1-A:	Clem/Burton Proposal May 24, 2005:	Tulloch/Staton Plan June 1, 2005:
	1 Unit per 3 acres	AR1 and AR2 as adopted in Revised 1993 Zoning Ordinance, June 2003	AR1 and AR2 Modified (20/5 and 50/10)	A3 Pattern with Environmental Constraints	AR1(20/7.5 with rezoning); AR2 (40/15 with rezoning)	AR10 (10/5); AR-20 (20/10)
<5.00	1,595	1,595	1,595	1,595	1,595	1,595
5.00 to 9.99	1,766	589	589	1,129	589	589
10.00 to 14.99	6,257	923	923	4,432	923	923
15.00 to 19.99	2,293	195	195	1,781	583	971
20.00 to 24.99	2,104	130	130	1,671	499	922
25.00 to 29.99	1,725	103	103	1,398	447	791
30.00 to 34.99	1,511	299	647	1,203	457	727
35.00 to 39.99	1,025	181	471	825	300	509
40.00 to 44.99	970	195	418	795	272	477
45.00 to 49.99	1,019	178	431	809	319	488
50.00 to 54.99	1,259	236	503	1,023	365	607
55.00 to 59.99	938	189	435	765	292	478
60.00 to 64.99	691	144	306	580	198	306
65.00 to 69.99	670	141	318	547	203	318
70.00 to 99.99	3,794	815	1,789	3,136	1,152	1,789
100.00 to 499.99	17,139	3,940	8,253	14,188	5,403	8,253
500.00 to 999.99	774	206	401	588	271	401
1000.00 +	346	51	103	296	68	103
Total	45,876	10,110	17,610	36,761	13,936	20,247

Source: Departments of Management & Financial Services and Economic Development, June 15, 2005

ATTACHMENT 3

Attachment 1-2
Buildout Analysis Methodology for Alternative Rural Policy Area Scenarios:
Revised June 14, 2005

Purpose and Scope

The purpose of this analysis was to develop a count of the maximum potential additional residential units that could be accommodated in the Rural Policy Area in Loudoun County under differing development scenarios. The analysis is parcel based – that is, each parcel in the Rural Policy Area was evaluated to determine whether it was “developable”. The number of new residential units that could potentially be built was calculated using the research approach described below.

Data Sources

Data for this work was extracted on April 13, 2005 from the County’s Land Management Information System (LMIS). The following data were extracted for all parcels in the Rural Policy Area:

- MCPI (Unique Parcel Identifier Number)
- Primary Zoning
- Policy Area
- Parcel Occupancy Code (used to determine use of the parcel)
- Legal Acres
- State Use Classification

Research Approach

The following method was used to determine: 1) whether a parcel was “developable”; and 2) the maximum estimated number of residential units that could be built on the parcel under the five alternative development scenarios. To determine whether a parcel was “developable”, parcels were examined and either removed from the analysis, or their development potential was modified based on the following assumptions:

1. Parcels that could not accommodate additional residential units based on current occupancy and lot size were removed.
2. Parcels less than 6 acres with an existing residential unit were removed.
3. **Parcels with a State Use Classification code of 000 and that are owned by a public entity were removed. Privately owned parcels remain in the database.**
4. Parcels where entire parcel is classified as open space easement were removed. Parcels with a State Use Classification code of 003, 004, 005, 103, 203, 503, and 603 cannot be built upon.
5. Parcels with a State Use Classification code of 204, 504, 604 (partial open space easement) were identified. These parcels were assumed to support some residential development: 204:1 house; 504:1 house per 20 acres; 604:1 house per 37.5 acres.
6. **Vacant parcels zoned A10 are assumed to NOT support further subdivision.**
7. Environmental constraints (such as floodplain and steep slopes) and zoning requirements (such as length/width, yard, setback and frontage requirements) were not addressed in this analysis.
8. Consideration was not given to parcels that may have private restrictive covenants that limit development as the data was not available.

Alternative development scenarios were defined as follows:

- Alternative 1: 3 acres per unit.
- Alternative 2: AR1 (20 acres per unit; 10 acres per unit cluster triggers at 30 acres) and AR2 (50 acres per unit; 20 acres per unit cluster triggers at 60 acres) as adopted in the Revised 1993 Zoning Ordinance, January 2003.
- Alternative 3: AR1 Modified (20 acres per unit; 5 acres per unit cluster triggers at 30 acres) and AR2 Modified (50 acres per unit; 10 acres per unit cluster triggers at 60 acres).
- Alternative 1-A: A-3 Pattern with Environmental Constraints (See Attachment 1-3. Method to Estimate the Maximum Potential Additional Residential Units for Scenario: A3 Development Pattern with Environmental Constraints, June 1, 2005 Rural Work session – This is the only constrained alternative).
- Clem/Burton Proposal May 24, 2005: AR1(20/7.5 with rezoning); AR2 (40/15 with rezoning)
- Tulloch/Staton Plan June 1, 2005: AR10 (10/5); AR-20 (20/10)

**Method to Estimate the Maximum Potential Additional Residential Units for Scenario: A3
Development Pattern with Environmental Constraints.**

1. The developable parcels database for the Rural Policy Area was further refined to address three areas of environmental constraints that may affect possible density of development under an A3 development pattern. (See Attachment 1-2. Buildout Analysis Methodology for Alternative Rural Policy Area Scenarios REVISED)
2. Constrained acreage was defined as the following:
 - 1) Areas with soils classified as E slopes
 - 2) Areas with soils identified as having no alternative wastewater disposal site potential
 - 3) Areas of major floodplain.
3. Using the GIS to capture spatial data related to soils, slopes and floodplain, individual parcels were examined and the amount of area under environmental constraints was calculated. This area was compared to the total area of the parcel to derive the percentage of the parcel with environmental constraints.
4. Any parcel with 50% or more area identified as "constrained" was assumed to support a density of 5 acres per unit under an A3 pattern of development. Parcels with less than 50% of area identified as "constrained" were assumed to support a density of 3.5 units per acre under an A3 pattern of development.